

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH LAZ PARKING/GEORGIA, LLC, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF CODE COMPLIANCE, FOR THE LEASE OF THIRTY-FIVE (35) PARKING SPACES AT 211 TRINITY AVENUE S.W. FOR THE PARKING OF ITS FLEET VEHICLES IN AN AMOUNT NOT TO EXCEED THIRTY THREE THOUSAND DOLLARS AND NO CENTS (\$33,000.00) DETERMINED BY THE DEPARTMENT OF PROCUREMENT TO BE A SPECIAL PROCUREMENT PURSUANT TO CITY CODE SECTION 2-1191.1 WITH ALL CONTRACTED SERVICES BEING CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS 1001 (GENERAL FUND) 250302 (DEPARTMENT) 5223103 (ACCOUNT) 7450000 (FUNCTION ACTIVITY); TO RATIFY THE PROVISION OF PARKING SERVICES PROVIDED BY LAZ PARKING/GEORGIA, LLC PURSUANT TO A LICENSE AGREEMENT BETWEEN THE PARTIES AND FOR A PERIOD OF TIME FROM 11/1/2008 UNTIL SUCH TIME AS THE EXECUTION DATE OF THE NEW LEASE AUTHORIZED PURSUANT HERETO; TO WAIVE CODE SECTION 2-1187 (SOURCE SELECTION PROVISION) OF THE PROCUREMENT CODE FOR THE NON-PROCURED LEASE; AND FOR OTHER PURPOSES.

WHEREAS, the Bureau of Code Compliance has the need for the exclusive, striped and secured parking of its approximately thirty five (35) trucks within a 2-3 block radius of city hall; and

WHEREAS, LAZ Parking/ Georgia, LLC ("LAZ") operates a parking lot approximately two blocks from city hall at 211 Trinity Avenue ("Subject Property") which meets the needs of the Bureau of Code Compliance; and

WHEREAS, the Bureau has been parking at the Subject Property since 11/1/2008 pursuant to a license agreement with LAZ that expired October 31, 2009; and

WHEREAS, the license expired pursuant to its terms on 10/31/2009 but the Bureau continues to park at the Subject Property on a month-to-month basis; and

WHEREAS, the Bureau desires to enter into a one-year lease agreement with LAZ with the effective date beginning 11/1/2009; and

WHEREAS, the Chief Procurement Officer has determined this parking lease to be a special procurement within the meaning of City Code Sec. 2-1191.1; and

WHEREAS, Sec. 2-1546(d) of the Procurement Code requires that acquisition of lease preceded by City Council authorization;

WHEREAS, it is necessary to ratify the provision of services that the Bureau has received and continues to receive without proper procurement from 11/1/2008 until the date that the new lease authorized herein becomes effective.

**NOWHEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA
HEREBY ORDAINS AS FOLLOWS:**

Section 1: that the Mayor is hereby authorized to enter into a contractual agreement, in substantial form as shown on Exhibit "A", attached hereto and incorporated herein by reference, with LAZ Parking/Georgia, LLC for the lease of thirty-five (35) parking spaces for its fleet vehicles at real property located at 211 Trinity Avenue SW, Atlanta, Georgia 30303 ("Agreement") on behalf of the Bureau of Code Compliance.

Section 2: that the term of the Agreement shall be for a base term of twelve (12) months beginning on November 1, 2009 and ending on October 31, 2010, with one (1) twelve-month renewal option at the sole discretion of the Bureau of Code Compliance.

Section 3: that the lease fee for the base twelve-month term shall not exceed Thirty Three Thousand Dollars and No Cents (\$33,000.00) and that any exercise of the renewal option shall be preceded by city council authorization consistent with City Code Sec. 2-1205.

Section 4: that all lease payments shall be charged to and paid from the following Fund Department Organization and Account Numbers 1001 (General Fund) 250302 (Zoning and Code Enforcement) 5223103 (Operating Lease/Rental) 7450000 (Code Compliance).

Section 5: that the City Attorney be and is hereby directed to prepare an appropriate agreement for execution by the Mayor or her designee, to be approved as to form by the City Attorney.

Section 6: that the Agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to LAZ Parking/Georgia, LLC.

Section 7: that section 2-1187 of the procurement code is hereby waived for the non-procured license agreement entered into and having a term of 11/1/2008 to 10/31/2009.

Section 8: that the provision of services that the Bureau has received and continues to receive without proper procurement from 11/1/2008 until the date that the new lease authorized herein becomes effective, including payments for such services are hereby ratified.

File



SHIRLEY FRANKLIN
MAYOR

CITY OF ATLANTA

JAMES E. SHELBY
COMMISSIONER

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
66 Trinity Avenue, S.W. SUITE 1450 - ATLANTA, GEORGIA 30303
404-330-6070 - FAX: 404-868-7638
<http://www.atlantaga.gov/Government/Planning.aspx>

MEMORANDUM

TO: David Chapman, Chief Procurement Officer
FROM: James E. Shelby, Commissioner
DATE: November 11, 2009
RE: SPECIAL PROCUREMENT

The Bureau of Code Compliance is in need of parking facilities to house the City issued vehicles used by its inspectors daily who conduct field inspections. It is essential that the facility be located within close proximity to City Hall, (since the city shuttle no longer operates) and must be located so as to provide easy access by the inspectors and require only a short walk, because of the need for constant in-and-out activity by the employees.

The parking lot should also be secured, well maintained, and striped as the vehicles are city issued. In addition, there must be at least thirty five (35) spaces available for use exclusively by the bureau.

The parking lot currently used for this purpose is located at 211 Trinity Avenue (LAZ Parking Facilities), and was procured by the Bureau in 2008 at a cost of \$2750.00 per month. This agreement expired at the end of October 2009. The Bureau wishes to continue utilization of this facility and is certain that this is the only parking lot within the immediate area that meets the requirements as stated above.

Pursuant to Article X, Section 2-1191.1 of the City of Atlanta Procurement Code, I am requesting that you conduct a good-faith due diligence review of reasonable available sources that are in the city's best interest.

Your immediate attention to this request is greatly appreciated. If you have any questions or concerns, please contact me at (404) 330-6037 or Mike Renshaw at (404) 330-9198.

cc: Terri Lee, Deputy Commissioner
Mike Renshaw, Director, Bureau of Code Compliance



CITY OF ATLANTA

Shirley Franklin
Mayor

SUITB 1790
55 TRINITY AVENUE, SW
ATLANTA, GA 30303
(404) 330-6204 Fax: (404) 658-7705
Internet Home Page: www.atlantaga.gov

DEPARTMENT OF PROCUREMENT
Adam L. Smith, Esq., CPPB
Chief Procurement Officer
asmith@atlantaga.gov

December 11, 2009

PROCUREMENT CODE SECTION 2-1191.1 SPECIAL PROCUREMENT DESIGNATION FC-5048

Pursuant to Atlanta City Code Section 2-1191.1, the Chief Procurement Officer may initiate a procurement above the small purchase amount specified in Section 2-1190 where he/she determines that an unusual or unique situation exists that make the application of all requirements of competitive sealed bidding or competitive sealed proposals contrary to the public interest and such procurement does not technically qualify as a sole source procurement under Code Section 2-1191. Any special procurement under this Section shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the procurement and for the selection of the particular contractor shall be included by the chief procurement officer in the contract file.

This special procurement request is made to procure a parking facility for City issued vehicles used by inspectors on behalf of the Department of Planning and Community Development Bureau of Code Compliance.

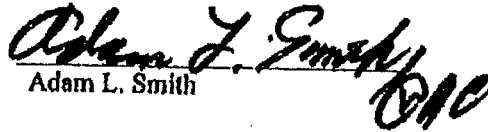
Having conducted an investigation of the available sources regarding the materials, goods and/or services stipulated herein pursuant to § 2-1191.1 of the City of Atlanta Code of Ordinances, Special Procurement, my findings are the following:

The City issued vehicles are used by its inspectors daily who conduct field inspections. It is essential that the facility be located within close proximity to City Hall, and must be located so as to provide easy access by the inspectors and require only a short walk, because of the need for constant in and out activity by the employee.

The parking lot should also be secured, well maintained, and striped as the vehicles are City issued. In addition, there must be at least thirty five (35) spaces available for use exclusively by the bureau. The parking lot currently used for this purpose is located at 211 Trinity Avenue (LAZ Parking Facilities) was procured by the Bureau in 2008 at cost of \$2,750.00 per month. This agreement expired at the end of October 2009. The Bureau wishes

to continue utilization of this facility and is certain that this is the only parking lot within the immediate area that meets the requirements stated above.

I, Adam L. Smith, by the authority vested in me pursuant to § 2-1191.1 of the City of Atlanta Code of Ordinances, do hereby approve, direct and authorize the special procurement for parking facility on behalf of the Department of Planning and Community Development Bureau of Code Compliance.


Adam L. Smith

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive Committee

Caption:

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Council Meeting Date: April 19, 2010

Requesting Dept.: DPCD

FAC Confirmed by: Teresa Booker

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement). This legislation is needed in order to provide parking facilities to house the City issued vehicles utilized by the inspectors of the Bureau of Code Compliance

2. Please provide background information regarding this legislation.

The Bureau of Code Compliance is in need of parking facilities to house the City issued vehicles used by its field inspectors. The Chief Procurement Officer has authorized the special procurement designation, for the lot located at 211 Trinity Avenue. This lot provides 35 spaces for use exclusively by the Bureau of Code Compliance and is striped, secured, well maintained and located within walking distance of City Hall as needed. The cost associated with this agreement is \$2750.00 per month for a 12 month period.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc): Professional Services**

(b) **Source Selection:** Special Procurement Designation

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

(e) **Number of Bids:**

(f) **Proposals Received:**

(g) **Bidders/Proponents:**

(h) **Term of Contract:** The agreement will be for a term of 12 months beginning Nov.1, 2009

Through October 31, 2010 and renewable for an additional 12 month period, contingent upon City Council, approval and appropriation of funds to support continuation of performance during the subsequent contract period.

4. Fund Account Center (Ex. Name and number):

Fund: General Fund__1001__Expense Account__5212001__

5. Source of Funds: Example: x General Fund Monies

6. Fiscal Impact: \$2750.00 per month for a period of 1 year not to exceed \$33,000.00 per year

7. Method of Cost Recovery: NA

This Legislative Request Form Was Prepared By: Mike Renshaw

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: Chief of Staff

Dept.'s Legislative Liaison: Mike Renshaw

Contact Number: x6133

Originating Department: Planning and Community Development

Committee(s) of Purview: F/E

Chief of Staff Deadline: February 23, 2010

Anticipated Committee Meeting Date(s): March 31, 2010

Anticipated Full Council Date: April 19, 2010

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: 

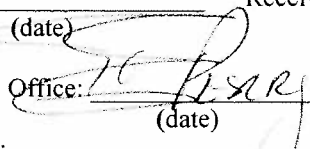

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACTUAL AGREEMENT WITH LAZ PARKING/GEORGIA, LLC, ON BEHALF OF THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, BUREAU OF CODE COMPLIANCE, FOR THE LEASE OF THIRTY-FIVE (35) PARKING SPACES AT 211 TRINITY AVENUE S.W. FOR THE PARKING OF ITS FLEET VEHICLES IN AN AMOUNT NOT TO EXCEED THIRTY THREE THOUSAND DOLLARS AND NO CENTS (\$33,000.00) DETERMINED BY THE DEPARTMENT OF PROCUREMENT TO BE A SPECIAL PROCUREMENT PURSUANT TO CITY CODE SECTION 2-1191.1 WITH ALL CONTRACTED SERVICES BEING CHARGED TO AND PAID FROM FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS 1001 (GENERAL FUND) 250302 (DEPARTMENT) 5223103 (ACCOUNT) 7450000 (FUNCTION ACTIVITY); TO RATIFY THE PROVISION OF PARKING SERVICES PROVIDED BY LAZ PARKING/GEORGIA, LLC PURSUANT TO A LICENSE AGREEMENT BETWEEN THE PARTIES AND FOR A PERIOD OF TIME FROM 11/1/2008 UNTIL SUCH TIME AS THE EXECUTION DATE OF THE NEW LEASE AUTHORIZED PURSUANT HERETO; TO WAIVE CODE SECTION 2-1187 (SOURCE SELECTION PROVISION) OF THE PROCUREMENT CODE FOR THE NON-PROCURED LEASE; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$33,000.00 from General Fund

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) 2/23/10 (date)

Received by Mayor's Office:  Reviewed by: 
(date) (date)

Submitted to Council: _____
(date)